

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	
)	Civil Action No. 20-11548
TEVA PHARMACEUTICALS USA, INC., and)	
TEVA NEUROSCIENCE, INC.,)	
)	
Defendants.)	
)	
)	

**DEFENDANTS’ MOTION FOR EXPEDITED BRIEFING FOR
MOTION TO CERTIFY INTERLOCUTORY APPEAL**

Defendants Teva Pharmaceuticals USA, Inc. and Teva Neuroscience, Inc. (collectively, “Teva”) respectfully request that the Court order expedited briefing and consideration of their Motion to Certify Interlocutory Appeal and Postpone Trial Pending Appeal pursuant to 28 U.S.C. § 1292(b) (the “Section 1292(b) Motion”). Teva respectfully requests that this Court order the government to respond to the Section 1292(b) Motion within five business days of the filing of the Section 1292(b) Motion, and any reply shall be due within three business days of the filing of the government’s response in opposition to Teva’s Motion.

“Every court is vested with the power ‘to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.’” *New Balance Athletic Shoe, Inc. v. Converse, Inc.*, 86 F. Supp. 3d 35, 36 (D. Mass. 2015) (quoting *Landis v. N. Am. Co.*, 299 U.S. 248, 254-55 (1936)). The Court may thus expedite or stay proceedings in its discretion. *Id.* at 36.

Good cause exists to grant this Motion. Trial is scheduled to begin in less than two months, and pretrial submissions are due throughout the month of August. Teva’s Section 1292(b) Motion

presents a controlling question of the legal standard of causation to be applied at trial, and the substantive issues have been fully briefed. Prompt resolution may save significant resources for both the parties and the Court.

For the reasons set forth above, Teva respectfully requests that this Court grant this Motion and consider Teva's Section 1292(b) Motion on an expedited basis.

Dated: July 26, 2023

Respectfully Submitted,

/s/ Emily Renshaw

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CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1

Undersigned counsel for Defendants Teva Pharmaceuticals USA, Inc. and Teva Neuroscience, Inc. certify pursuant to Local Rule 7.1(a)(2) that counsel for Defendants conferred with counsel for Plaintiff regarding the subject matter of this motion and the parties were unable to agree on a resolution or narrow the issues presented above.

/s/ Emily Renshaw
Emily Renshaw (BBO #675316)

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served upon all counsel of record via ECF filing on July 26, 2023.

/s/ Emily Renshaw
Emily Renshaw (BBO #675316)